

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers
Wednesday, January 9, 2013
6:00 p.m.

1) CALL MEETING TO ORDER

The meeting was called to order at 6:00 p.m.

2) ROLL CALL

Commissioners: Doug West, Chair
Brad Avery
Paul Blank (arrived late)
David Girling
Duncan McIntosh
Ralph Rodheim

Absent (Excused): Karen Rhyne

Staff Members: Chris Miller, Harbor Resources Manager
Shannon Levin, Harbor Resources Supervisor

Council Liaison: Mayor Nancy Gardner

3) PLEDGE OF ALLEGIANCE – Commissioner Rodheim

4) PUBLIC COMMENTS

Chair West invited those interested in addressing the Commission on agenda or non-agenda items to do so at this time.

Jim Mosher reported on recent Council actions regarding restricting public comments to three minutes instead of five minutes. He stated that Coastal Commission limitations were cited as an example and felt that neither Council nor the Harbor Commission has the large number of public comments usually heard by the Coastal Commission so that the comparison was irrelevant. He opined that there would be no problem in requiring a five-minute limit for public comments.

There being no others wishing to address the Commission, Chair West closed the Public Comments portion of the meeting.

5) APPROVAL OF MINUTES from November 14, 2012

Motion: Commissioner Blank made a motion to approve the minutes of the Harbor Commission regular meeting of November 14, 2012, as submitted. Commissioner Rodheim seconded the motion, which carried with 6 ayes and 1 absent (Rhyne). Approved.

6) CURRENT BUSINESS

1. *Eelgrass in Newport Harbor*

Mike Josselyn Ph.D., WRA Environmental Consultants, will give a presentation on eelgrass in Newport Harbor. In addition, the City's proposed Newport specific plan for managing eelgrass will be discussed.

Chair West introduced the item and deferred to Dr. Michael Josselyn for a presentation.

Mr. Miller added that Dr. Josselyn has worked with the City; Harbor Resources and the City Attorney's office for several years and has been instrumental as the biologist who has been the backbone of the plan development. He addressed the importance of presenting the proposed draft document noting that the City is at the cusp of finishing its negotiations with several agencies and gearing up for a meeting at the end of January for a more-clear direction on the matter. He expressed his appreciation to Dr. Josselyn for his work.

Dr. Josselyn reported on his background and research and his experience working with WRA Professional Consultants. He presented information regarding eelgrass noting that it is very sensitive to light availability and initiates its growth during the spring. He reported that it is widely found throughout the State of California and addressed its light requirements and noted that there are deep and shallow water forms of eelgrass. Dr. Josselyn noted that eelgrass is protected by the National Marine Fisheries Service as an essential fish habitat, stabilizes bottom sediments and is a unique and limited habitat type in California coastal areas.

He presented a map of areas where eelgrass exists in Southern California and specifically, in Newport Harbor. He addressed the current Southern California Eelgrass Mitigation Policy as well as the Proposed California Eelgrass Mitigation Policy. He noted that both are individual-project based but that the latter allows for regional approaches, if approved. He added that at a recent meeting with the National Marine Fisheries Service, representatives indicated that the Newport Beach plan would be one of the first that could qualify as one of the exceptions from an individual project; and would be a bay-wide project that the City could put into place.

Dr. Josselyn addressed conflicts with small dock dredging, efforts by the City to protect eelgrass and noted that the Newport Beach plan is consistent with Ecosystem Based Management. In addition, he presented the goals of the Eelgrass Protection and Mitigation Plan, eelgrass management thresholds, actions within each threshold tiers, eelgrass establishment methods and other best management practices. Dr. Josselyn addressed initial measures at the start of the program and the status of the plan.

Discussion followed regarding the existence of eelgrass in most coastal states within the country, effects of water temperature on eelgrass and the historical existence of eelgrass. It was noted that it only grows in salt water.

Ensuing discussion followed regarding mandating City donations by CoastKeeper.

Harbor Resources Manager Chris Miller reported that CoastKeeper is working on eelgrass mitigation in Newport Harbor and donations don't necessarily have to go to CoastKeeper, but could go to other groups.

Discussion followed regarding stable and transition zones within the harbor and it was noted that the terms were developed for the harbor, although most harbors have such zones.

It was noted that the City's plan focuses on shallow water eelgrass. Dr. Josselyn reported that the harbor should be looked at, as a whole but that the National Marine Fisheries Service wanted it applied up to the pier head/bulkhead line. He added that the plan would not affect the Upper Bay and would be applicable to the Lower Bay. CoastKeeper is working on the Upper Bay.

In response to an inquiry from the Commission, Dr. Josselyn explained methods used in measuring the acreage in the harbor. He noted that diver surveys are usually the most accurate and reported that other techniques are becoming readily available.

Discussion followed about the number of docks that could be dredged and Mr. Miller reported that yearly acreage allowed would be enough to cover a lot of residences. Ensuing discussion followed regarding options available for homeowners for mitigating eelgrass and possible liability to the City if the eelgrass cannot be maintained.

It was noted that the Chamber will continue promoting marine industries but will minimize their focus to business development. Visit Newport is involved as well and is doing a great job.

Discussion followed regarding the willingness of Visit Newport to help with the City.

There being no others wishing to address the Commission, Chair West closed public comments for this item.

8) QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES

Councilmember Gardner reported that the Tidelands Management Committee will meet next Wednesday at 4:00 p.m. and addressed the issues to be discussed.

In addition, she announced that this Saturday at 11:30 a.m. at the Oasis, Council will hold its goal-setting meeting and noted that one of the issues to be discussed is whether Commissions should have Council liaisons.

9) HARBOR RESOURCES UPDATE – Receive and File

Mr. Miller presented a brief update on the City's dredging project and stated that the project should be completed by the end of the month.

Harbor Resources Supervisor Shannon Levin reported on the replacement of all five City-owned pump-outs. She reported that the project should be completed by the end of March.

Brief discussion followed regarding the location of the five pump-outs.

Mr. Miller reported that user fees will be discussed at the upcoming Tidelands Management Committee.

10) PUBLIC COMMENTS ON SUBCOMMITTEE REPORTS OR HARBOR RESOURCES UPDATE

Letty Chang presented a brief update on the status of paddle boarding in the harbor and distributed copies of a draft document entitled, "Stand Up Paddle Boarding Instructional and Safety Techniques".

11) COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Members of the Commission commended the Harbor Patrol and Visit Newport for their efforts during the Christmas Boat Parade.

Chair West referenced a meeting where discussion occurred regarding offshore docking and noted that he would like adding an item on the agenda for a presentation at the Commission's February meeting. He requested that Commissioner Avery take the lead on the item, since he will not be at the February meeting and reported that Mr. Duffy will make the presentation.

12) DATE AND TIME FOR NEXT MEETING:

Wednesday, February 13, 2013

13) ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 8:05 p.m.

time was to return with the item to review the matter. He addressed the previous as well as the current location of the Cheyenne and recommendations.

Brief discussion followed regarding the new boundary lines for the F mooring area and the D mooring field.

Chris Welsh, Cheyenne pilot, addressed the number of days the vessel has been in the water and subsequent dives as well as mechanical issues resolved. He reported on upcoming goals including diving the Puerto Rican trench. He reported agreement with the current location of the vessel and stated that most likely they will be headed for Puerto Rico within the next five-to-six months. He addressed current goals and noted there will be a lot of diving in the future.

Chair West commented on the location of the mooring.

Discussion followed regarding reviewing the matter again prior to Mr. Welsh's team departure.

Mr. Welsh reported that he will keep in communication with staff and the Commission with updates.

Discussion followed regarding extending or shortening the mooring and charging mooring fees only while the vessel is in the harbor. It was noted that this is not a permanent mooring and that Mr. Welsh owns his own tackle. The item will be reviewed annually.

Mr. Miller noted that Mr. Welsh would like to have Newport Harbor as the vessel's home base. But that updates will be presented as necessary.

Interested parties were invited to address the Commission. There was no response and Chair West closed public comments for this item.

The report was received and filed.

7) SUBCOMMITTEE REPORTS

It was reported that the Overhang Sub-committee met once, has not met recently, but will meet next month.

Commissioner Blank presented a brief report addressing the Commission objective regarding collaboration with Visit Newport Beach relative to making the City "boater-friendly". He reported that the Sub-Committee met with Gary Sherwin of Visit Newport Beach and reviewed the Commission's interest in a SWOT analysis and discussed opportunities for promoting the harbor as a great destination for visiting boaters. Commissioner Blank reported discussing specific strategies for increasing the number of visiting vessels, improving visitor experience and supporting businesses that serve visiting boaters. Discussion also occurred regarding distribution of the cruising guide, collaboration with area restaurants and other attractions and considering the destination vision of "welcome" and next steps to engage the Harbor Master and his staff to assess their role in the Newport experience. He announced an upcoming meeting with Harbor Master Tom Slayton, to initiate discussions.

Regarding improvements to public docks, Commissioner Blank reported ongoing efforts and the arrangement of a number of ride-alongs with the Harbor Patrol. He added that an update will be provided to the Commission in February.

Chair West thanked Commissioner Blank for initiating the ride-along opportunity with the Harbor Patrol.

Interested parties were invited to address the Commission.

John Corrough commented on the promotion of the harbor and sustaining the marine industry in the community. He felt there should be a mechanism for promoting the harbor other than the Chamber of Commerce.

It was noted that the Chamber will continue promoting marine industries but will minimize their focus to business development. Visit Newport is involved as well and is doing a great job.

Discussion followed regarding the willingness of Visit Newport to help with the City.

There being no others wishing to address the Commission, Chair West closed public comments for this item.

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